UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ART UNIT	PAPER NUMBER
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DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the c ver sh et with the correspondence address --

Peri d f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 August 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-59* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-59* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

This office action is in response to arguments filed on August 04, 2004. Original

application contained Claims 1-59. Applicant did not amend any Claim. Presently pending

claims are 1-59.

Applicant's arguments filed on August 04, 2004 have been fully considered but they are

not persuasive because of the following reasons:

Regarding Claims 1, 18, 27, and 47 applicants argued that Todd (U. S. Patent No.

6,185,689) does not teach or suggest " *resource allocation request, computational task on an*

entity that issues a resource allocation request" and also does not teach "allocating said

resource for said client if verification is received, and verification of a computational task being

performed"

This is not found persuasive. The system of cited prior arts (CPA) [Todd (U. S. Patent

No. 6,185,689)] clearly teach system and method that minimizes the possibility of use by

unauthorized persons to identify security shortcomings in network. Operable in fire walled

environment so as to permit tests to be successful and adding tests for vulnerability to denial of

service attacks. Readily possible to revise and update security assessments available as

vulnerabilities. In this system a network connection is established and data identifying the

arbitrary and target host is input from host to server. Certification file is consulted for

confirming access to security vulnerabilities of target host by arbitrary host. A vulnerability test

is conducted and result is stored in uniquely named file. The identification of the file is sent to

network address of arbitrary host and downloaded.

As a result, CPA does implement and teaches system and method that relates to

protecting a server from a communications based denial of service attack.

Applicants clearly have failed to explicitly identify specific claim limitations, which would

define a patentable distinction over prior arts.

The examiner is not trying to teach the invention but is merely trying to interpret the

claim language in its broadest and reasonable meaning. The examiner will not interpret to read

narrowly the claim language to read exactly from the specification, but will interpret the claim

language in the broadest reasonable interpretation in view of the specification. Therefore, the

examiner asserts that the system of cited prior arts does teach or suggest the subject matter

broadly recited in independent Claims 1, 18, 27, and 47and in subsequent dependent Claims.

Accordingly, rejections for claims 1-59 are respectfully maintained.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   Claims 1-10, 14-20, 24-38, and 42-46 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Todd, Sr. et al. U.S. Patent No. 6,185,689 ('Todd' hereinafter) in view of

Benson U.S. Patent No. 5,935,246. With respect to claim 1, Todd teach a method for allocating

a resource (see abstract; col. 4, lines 26-53), comprising the steps of:

(a)   receiving a resource allocation, request from a client (see col. 5, lines 66-67 to col. 6,

lines 1-14, 50-56);

(b)   imposing on said client a computational task and a time limit for correct

        completion of said computational task (see col. 6, lines 40-67);

(d)   allocating said resource for said client if the verification is received (see col. 6, lines 15-

26)

        Todd do not explicitly disclose receiving verification that said client has correctly

performed computational task within said time limit.

        Benson disclose receiving verification that said client has correctly performed

computational task within said time limit.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Benson within the system of Todd to arrive at the invention as claimed because both references are directed to a method of allocating a resource and the implementation of a time limit would limit the amount of time that the client has to complete the computationally intensive task, further increasing the security of the combined system by enabling the server to verify that the task was performed correctly.

8.   Claim 2 rejected as above in rejecting claim 1, wherein said resource allocation request comprises a network connection request (see col. 6, lines 15-26).

9.   Claim 3 rejected as above in rejecting claim 1,wherein said step (b) comprises communicating a puzzle as at least a portion of said communication task (see col. 5, lines 66-67 to col. 6, lines 1-14; Fig. 1).

10.   Claim 4 rejected as above in rejecting claim 3, wherein said step (b) comprises communicating the output of a one-way function to said client (see col. 5, lines 66-67 to col. 6,lines 1-14)

11.   Claim 5 rejected as above in rejecting claim 3, wherein said step (b) comprises communicating the output of a block cipher to said client (see col. 4, lines 38-54).

12.   Claim 6 rejected as above in rejecting claim 3, wherein said step (b) comprises communicating the output of a function, wherein the input of said function is generated, based at least in part on a server secret unknown to said client, and not revealed through correct performance of said computational task (see col. 6, lines 5-67).

13.   As per claim 7, Todd do not explicitly show the said function comprises of a timestamp and information authenticating the timestamp. However, Benson disclose wherein the input of

said function comprises a timestamp and information authenticating the timestamp (see col. 11, lines 19-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Todd in view of Benson for the same reasons set forth in claim 3 above.

14. Claim 8 rejected as above in rejecting claim 3 wherein said step (b) comprises communicating a puzzle constructed in a self-authenticating fashion (see col. 5, lines 66-67 to col. 6, lines 1-14).

15. As per claim 9, Todd do not explicitly show a hash image and a partially revealed pre-image to said client. However, Benson teaches communicating a hash image and a partially revealed pre-image to said client (see col. 5, lines 34-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Todd in view of Benson for the same reasons set forth in claim 3 above.

16. As per claim 10, Todd do not explicitly show a receiving the remaining pre-image. However, Benson teaches receiving the remaining pre-image (see col. 5, lines 26-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Todd in view of Benson for the same reasons set forth in claim 9 above.

17. Claim 14 rejected as above in rejecting claim I wherein said step (a) comprises receiving a TCP SYN request (see col. 2, lines 61-67 to col. 3, lines 1-6).

18. Claim 15 rejected as above in rejecting claim I wherein said step (a) comprises receiving a request to open an SSL connection (see col. 4, lines 38-53).

19. Claim 16 rejected as above in rejecting claim I wherein said step (b) comprises the steps of.

(ba)   determining if a computational task is to be imposed upon said client

         based upon the operating circumstances at the time of receiving said

         resource allocation request from said client (see col. 4, lines 26-37); and

(bb)   if a computational task is determined to be imposed upon said client then

         selecting a computational task responsive to at least one characteristic of

         said operating circumstances at the time of receiving said resource

         allocation request (see col. 6, lines 40-64); and

(bc)   if a computational task is determined to be imposed upon said client then

         imposing the selected computational task on said client (see col. 6, lines 40-64).

20.   Claim 17 rejected as above in rejecting claim 1, wherein said step (a) comprises receiving

a resource allocation request comprising a query, or accompanied or preceded by a query

concerning whether a server is currently imposing computational tasks (see col. 6, lines 50-67;

col. 8, lines 7-19).

21.   With respect to claim 18, Todd teach a method for procuring a resource comprising the

        steps of:

        (a)   communicating a resource allocation request to a server (see col. 5, lines

66-67 to col. 6, lines 1-26);

        (b)   receiving a computational task from said server (see col. 6, lines 50-56);

        (d)   communicating to said server a verification that said computational task

has been performed correctly 'within the known time limit (see col. 6,lines 40-67).

Todd do not disclose performing or delegating the performance of said computational

task correctly within a known time limit.

Benson disclose performing or delegating the performance of said computational task

correctly within a known time limit (see col. 11, lines 19-30).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Benson within the system of Todd to arrive at the

invention as claimed because both references are directed to a method of allocating a resource

and the implementation of a time limit would limit the amount of time that the client has to

complete the computationally intensive task, further increasing the security of the combined

system by enabling the server to verify that the task was performed correctly.

22.   Claim 19 rejected as above in rejecting claim 18 wherein said resource allocation request

comprises a network connection request (see col. 6, lines 15-26).

23.   Claim 20 rejected as above in rejecting claim18, wherein said step (b) comprises

receiving said

computational task and a time limit for performance of said computational task

from said server (see col. 6, lines 40-67)

24.   Claim 24 rejected as above in rejecting claim 18, wherein said step (a) comprises

transmitting a TCP SYN request (see col. 2, lines 61-67 to col. 3, lines 1-6).

25.   Claim 25 rejected as above in rejecting claim 18, wherein said step (a) comprises

transmitting a request to open an SSL connection (see col. 4, lines 38-53).

26.   Claim 26 rejected as above in rejecting claim 18, wherein said. step (a) comprises

transmitting a resource allocation request comprising a query, or accompanied or preceded by a

query concerning whether a server is currently imposing computational tasks (see col. 6, lines

50-67; col. 8, lines 7-19).

27.   With respect to claim 27, Todd teach an apparatus for allocating a resource (see abstract;

col. 4, lines 26-53) comprising:

a first receiver receiving a resource allocation request from a client (see col. 7, lines 14-46);

a computational task generator for imposing a computational task upon said client

for correct performance within a time limit (see col. 6, lines 40-67); and

a transmitter communicating said computational task to said client (see col. 7, lines 14-46); and

an allocator allocating said resource for said client (see col. 6,lines 40-67).

Todd do not explicitly disclose wherein said computational task was correctly

performed with said time limit.

Benson disclose a second receiver receiving a verification from said client that said

computational task was correctly performed with said time limit (see col. 11, lines 19-30).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Benson within the system of Todd to arrive at the

invention as claimed because both references are directed to a method of allocating a resource

and the implementation of a time limit would limit the amount of time that the client has to

complete the computationally intensive task, further increasing the security of the combined

system by enabling the server to verify that the task was performed correctly.

28.   Claim 28 rejected as above in rejecting claim 27, wherein said first receiver and said

second receiver comprise the same receiver (see col. 7, lines 14-46).

29.   Claim 29 rejected as above in rejecting claim 27, wherein said first receiver receives a

resource allocation request comprising a network connection request (see col. 7, lines 14-46).

30.   Claim 30 rejected as above in rejecting claim 27, wherein said transmitter communicates

said computational task and a time limit for performance of said computational task to said client

(see col. 6, lines 40-67);

31.   Claim 31 rejected as above in rejecting claim 27, wherein said computational task

comprises a puzzle (see col. 4, lines 38-53).

32.   Claim 32 rejected as above in rejecting claim 31 wherein said puzzle comprises the

output of a one-way function (see col. 5, lines 66-67 to col. 6, lines 1-14).

33.   Claim 33 rejected as above in rejecting claim 31 wherein said puzzle comprises the

output of a block cipher (see col. 4, lines 38-53).

34.   Claim 34 rejected as above in rejecting claim 31, wherein said puzzle comprises the

output of a function, wherein the input of said function is based at least in part on a server secret

unknown to said client and not revealed through correct performance of said computational task

(see col. 6, lines 50-67).

35.   As per claim 35, Benson further teaches wherein said puzzle comprises the output of a

function, wherein the input of said function comprises a timestamp and information

authenticating the timestamp (see col. 11, lines 19-30).

36.   Claim 36 rejected as above in rejecting claim 31, wherein said puzzle is constructed in a

self-authenticating fashion (see col. 5, lines 11-40).

37.   As per claim 37, Benson further teaches wherein said puzzle comprises a hash image, and

a partially revealed pre-image (see col. 5, lines 11-40).

38.   As per claim 38, Benson further teaches wherein said verification comprises verifying the

remaining unrevealed pre-image (see col. 5, lines 11-40).

39.   Claim 42 rejected as above in rejecting claim 27, wherein said resource allocation request

comprises a TCP SYN request (see col. 2, lines 61-67 to col. 3, lines 1-6).

40.   Claim 43 rejected as above in rejecting claim 27 wherein said resource allocation request

comprises a request to open an SSL connection (see col. 4, lines 38-53).

41.   Claim 44 rejected as above in rejecting claim 27 wherein said computational task is

selected responsive to at least one characteristic of the operating circumstances at the time of

receiving said resource allocation request (see col. 6, lines 40-67).

42.   Claim 45 rejected as above in rejecting claim 27 wherein said resource allocation request

comprises a query, or is accompanied or preceded by a query concerning whether a server is

currently imposing computational tasks (see col. 6, lines 50-67; col. 8, lines 7-19).

43.   Claim 46 rejected as above in rejecting claim 27 comprising a time limit generator

generating a time limit within which said client must correctly perform said

computational task (see col. 40, lines 40-49);

44.   Claims 11-13, and 21-23 and 39-41 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Todd, Sr. et al. U.S. Patent No. 6,185,689 ('Todd' hereinafter) in view Benson

(U.S. Patent No. 5,935,246), in further view of Ranger U.S. Patent No. 6,301,584.

45.   As per claim 11, Todd and Benson teach the limitation set forth above in claim 3. Todd

and Benson do not explicitly disclose wherein said step (b) comprises communicating a plurality

of sub-puzzles to a client.

        Ranger teach wherein said step (b) comprises communicating a plurality of sub-puzzles

to a client (see col. 20, lines 37-43).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Todd and Benson within the system of Ranger to arrive at

the invention as claimed because the references are directed towards a method for allocating a

resource, and the implementation of sub-puzzles would improve the ability of the computational

task to solve the cryptographic processes or the puzzle independently since the sub-puzzles are

constructed independently, further increasing the security and increasing the versatility of the

combined systems.

46.   As per claim 12, Todd and Benson do not explicitly show communicating a plurality of

independently constructed sub-puzzles. However, Ranger teaches wherein said step (b)

comprises communicating a plurality of independently constructed sub-puzzles (see col. 20, lines

37-43). It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine Todd in view of Benson, in further view of Ranger for the same reasons

set forth in claim 11 above.

47.   As per claim 13, Todd and Benson do not explicitly show communicating a plurality of

sub-puzzles wherein each sub-puzzle is constructed with some intended overlap. However,

Ranger teaches wherein said. step (b) comprises communicating a

plurality of sub-puzzles wherein each sub-puzzle is constructed with some

intended overlap (see col. 20, lines 37-43). It would have been obvious to one of ordinary skill

in the art at the time the invention was made to combine Todd in view of Benson, in further view

of Ranger for the same reasons set forth in claim 11 above.

48.   As per claim 21, Todd and Benson teach the limitations set forth above in claim 18.

Todd and Benson do not explicitly disclose wherein said step (c) comprises solving a puzzle.

Ranger teach wherein said step (c) comprises solving a puzzle (see col. 17, lines 14-16, 53-55; col. 20, lines 37-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Todd and Benson within the system of Ranger to arrive at the invention as claimed because the references are directed towards a method for allocating a resource, and the implementation of sub-puzzles would improve the ability of the computational task to solve the cryptographic processes or the puzzle independently since the sub-puzzles are constructed independently, further increasing the security and increasing the versatility of the combined systems.

49.   As per claim 22, Todd and Benson do not explicitly show wherein said step (c) comprises a linear search of the solution space associated with said computational task. However, Ranger teaches wherein said step (c) comprises a linear search of the solution space associated with said computational task (see col. 17, lines 66-67 to col. 18, lines 1-4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Todd in view of Benson in further view of Ranger for the same reasons set forth in claim 21 above.

50.   As per claim 23, Todd and Benson teach the limitation set forth above in claim 18. Todd and Benson do not explicitly disclose wherein said step (b) comprises solving a plurality of sub-puzzles.

Ranger teach wherein said step (b) comprises solving a plurality of sub-puzzles (see col. 20, lines 37-43).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Todd and Benson within the system of Ranger to arrive at

the invention as claimed because the references are directed towards a method for allocating a

resource, and the implementation of sub-puzzles would improve the ability of the computational

task to solve the cryptographic processes or the puzzle independently since the sub-puzzles are

constructed independently, further increasing the security and increasing the versatility of the

combined systems.

51.   As per claim 39, Todd and Benson teach the limitation set forth above in claim 31. Todd

and Benson do not explicitly disclose wherein said step (b) comprises a plurality of sub-puzzles.

Ranger teach wherein said step (b) comprises a plurality of sub-puzzles (see col. 20, lines

37-43).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Todd and Benson within the system of Ranger to arrive at

the invention as claimed because the references are directed towards a method for allocating a

resource, and the implementation of sub-puzzles would improve the ability of the computational

task to solve the cryptographic processes or the puzzle independently since the sub-puzzles are

constructed independently, further increasing the security and increasing the versatility of the

combined systems.

52.   As per claim 40, Todd and Benson do not explicitly show wherein said plurality of sub-

puzzles are constructed independently. However, Ranger teaches wherein said plurality of sub-

puzzles are constructed independently (see col. 20, lines 37-43). It would have been obvious to

one of ordinary skill in the art at the time the invention was made to combine Todd in view of

Benson in further view of Ranger for the same reasons set forth in claim 39 above.

53.   As per claim 41, Todd and Benson do not explicitly show wherein said plurality of sub-

puzzles are constructed with some intended overlap. However, Ranger teaches wherein said

plurality of sub-puzzles are constructed with intended overlap (see col. 20, lines 37-43). It would

have been obvious to one of ordinary skill in the art at the time the invention was made to

combine Todd in view of Benson in further view of Ranger for the same reasons set forth in

claim 39 above.

54.   Claims 47-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Todd, Sr. et

al. U.S. Patent No. 6,185,689 ('Todd' hereinafter) in view of Ranger U.S. Patent No. 6,301,584.

With respect to claim 47, Todd teach an apparatus for procuring a resource (see abstract; col. 4,

lines 26-53) comprising:

        a first transmitter communicating a resource allocation request to a server (see col. 7,

lines 14-46);

        a first receiver receiving a computational task from said server (see col. 7, lines 14-46);

        a computational task solver correctly performing said computational task

within a known time limit (see col. 6, lines 40-67)

        Todd do not explicitly disclose a second transmitter communicating to said server a

verification that said computational task has been performed.

        Ranger disclose a second transmitter communicating to said server a verification that said

computational task has been performed (see col. 5, lines 6-18).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ranger within the system of Todd to arrive at the invention as claimed because the implementation of verification that the computational task has been performed would improve the verification capability of the server by further verifying that a computational task that is imposed by the server on the client has achieved some defined and verifiable result, further increase the security and improving the versatility of the combined system.

55.   Claim 48 rejected as above in rejecting claim 47, wherein said first transmitter and said second transmitter comprise the same transmitter (see col. 7, lines 14-46).

56.   Claim 49 rejected as above in rejecting claim 47 wherein said first transmitter sends a resource allocation request comprising a network connection request (see col. 7, lines 14-46).

57.   Claim 50 rejected as above in rejecting claim 47 further comprising a second receiver receiving a time limit for performing said computational task (see col. 6, lines 40-67).

58.   Claim 51 rejected as above in rejecting claim 50 wherein said first receiver and said second receiver comprise the same receiver (see col. 7, lines 14-46).

59.   As per claim 52, Todd do not explicitly show wherein said computational task comprises a puzzle. However, Ranger teaches wherein said computational task comprises a puzzle (see col. 20, lines 37-43). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Todd in view of Ranger for the same reasons set forth in claim 47 above.

60.   As per claim 53, Todd do not explicitly show wherein said computational task performs a linear search of potentially the entire solution space associated with said computational task.

However, Ranger teaches wherein said computational task performs a linear search of potentially

the entire solution space associated with said computational task (see col. 17, lines 66-67 to col.

18, lines 1-4). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine Todd in view of Ranger for the same reasons set forth in claim

47 above.

61.   As per claim 54, Todd do not explicitly show wherein said computational task comprises

a plurality of sub-puzzles. However, Ranger teaches wherein said computational task comprises

a plurality of sub-puzzles (see col. 20, lines 37-43). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to combine Todd in view of Ranger

for the same reasons set forth in claim 47 above.

62.   As per claim 55, Todd do not explicitly show wherein said sub-puzzles are constructed

independently. However, Ranger teaches wherein said sub-puzzles are constructed

independently 9see col. 20, lines 37-43). It would have been obvious to one of ordinary skill in

the art at the time the invention was made to combine Todd in view to Ranger for the same

reasons set forth in claim 54 above.

63.   As per claim 56, Todd do not explicitly show wherein said sub-puzzles are constructed

with some intended overlap. However, Ranger teaches wherein said sub-puzzles are constructed

with some intended overlap (see col. 20, lines 37-43). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to combine Todd in view to Ranger

for the same reasons set forth in claim 54 above.

64.   Claim 57 rejected as above in rejecting claim 47 wherein said resource allocation request

comprises a TCP SYN request (see col. 2, lines 61-67 to col. 3, lines 1-6).

65.   Claim 58 rejected as above in rejecting claim 47 wherein said resource allocation request comprises a request to open an SSL connection (see col. 4, lines 30-53.

66.   Claim 59 rejected as above in rejecting claim 47 wherein said resource allocation request comprises a query, or is accompanied or preceded by a query concerning whether said server is currently imposing computational tasks (see col. 6, lines 50-67; col. 8, lines 7-19).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
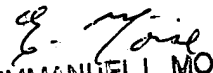
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 571-272-3798. The examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sz

December 28, 2004

EMMANUEL L. MOISE

PRIMARY EXAMINER